

OCT 25 2007

HAROLD BAER
U.S. DISTRICT JUDGE
S. D. N.Y.

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October 25, 2007

VIA FAX

Re: Modine Manufacturing Company v.
Delta Air Lines, Inc.
07 Civ. 07457 (HB)
Our File: 103.275

USDS SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 10/30/07

Honorable Harold Baer, Jr.
United States Courthouse
500 Pearl Street - Room 2230
New York, NY 10007

Dear Judge Baer:

We are counsel for Delta Air Lines, Inc., one of the defendants in the captioned matter and write, with the consent of counsel for the plaintiff and counsel for co-defendant Expeditors International STR, to request a change in the time and/or date of the Pre-Trial Conference currently scheduled for Thursday, November 1, 2007 at 3:15 p.m.

We request that the conference either be scheduled for the morning of November 1, 2007 or another date, in view of a conflict which has arisen in connection with the currently scheduled time.

We are counsel for a defendant in a suit in the New York County Asbestos Litigation, Joel Rosenberg v. Alpha Wire Company, et. al. (Index No. 06-196697) which action is scheduled for jury selection on Monday, November 5, 2007. We, on behalf of our client, have moved by Order to Show Cause, for summary judgment seeking dismissal of plaintiff's action against our client, Cooper Industries, Inc. This motion is before Justice Helen E. Freedman, in the Supreme Court of the State of New York, County of New York. Attached is a copy of the signed Order to Show Cause, which schedules oral argument of our client's dismissal motion for

Thursday, November 1, 2007 at 3:00 p.m. In view of the fact that I am the lead attorney in that case, I will have to argue Cooper Industries' dismissal motion at that time, and will not be available to attend the Pre-Trial Conference scheduled herein at 3:15 p.m. on November 1, 2007.

Accordingly, we request that the Pre-Trial Conference herein be rescheduled either for the morning of November 1, 2007 or for a subsequent date and time convenient for the Court. Counsel for all parties have indicated their availability on the morning of November 1, 2007.

We thank you for your consideration and look forward to your response to our request.

Respectfully Yours,

MOUND, COTTON, WOLLAN & GREENGRASS

By

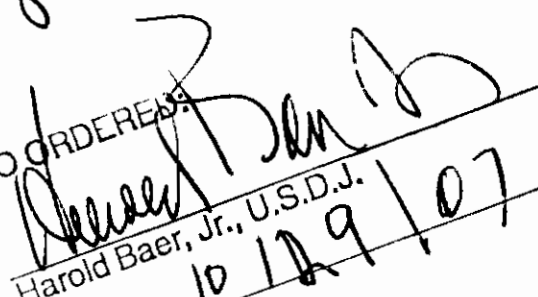

Francis A. Montbach

FAM:mk
ccs.: (VIA FAX)
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off to 9:30 AM 11/1/07

SO ORDERED:


Harold Baer, Jr., U.S.D.J.

Date: 10/29/07